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PATENT APPLICATION  
09/244,550

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**In The United States Patent and Trademark Office  
On Appeal From The Examiner To The Board  
of Patent Appeals and Interferences**

In re Application of: Harriet E. Brichta, et al.  
Serial No.: 09/244,550  
Filing Date: February 3, 1999  
Group Art Unit: 3622  
Examiner: James W. Myhre  
Title: *System and Method of Managing a Program Office*

**MAIL STOP: APPEAL BRIEF - PATENTS**  
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*Willie Jiles*

Willie Jiles

Date: June 21, 2004

**Appeal Brief**

Appellants have appealed to the Board of Patent Appeals and Interferences ("Board") from the decision of the Examiner mailed February 5, 2004, finally rejecting all pending Claims 1-9, 13-14, 16, 18-35, 38-42, and 44-63. Appellants filed a Notice of Appeal on April 19, 2004. Appellants respectfully submit this Appeal Brief in triplicate with the statutory fee of \$330.00.

**Real Party In Interest**

This Application is currently owned by Electronic Data Systems Corporation, as indicated by an Assignment recorded on February 3, 1999, from the inventors (Harriet E. Brichta, Floyd Phillip Littlefield, Jr., Bruce W. Bradbury, Iveoma C. Eriken, and Julio A. Rodriguez) to Electronic Data Systems Corporation, in the Assignment Records of the United States Patent and Trademark Office at Reel 9757, Frames 0073-0077.

**Related Appeals and Interferences**

There are no known appeals or interferences which will directly affect or be directly affected by or have a bearing on the Board's decision regarding this Appeal.

**Status of Claims**

Claims 1-9, 13-14, 16, 18-35, 38-42, and 44-63 are pending in this Application, stand rejected pursuant to a final Office Action mailed February 5, 2004, and are all presented for appeal. All pending claims are shown in Appendix A.

**Status of Amendments**

In Appellants' Response to the February 5, 2004 Final Office Action, Appellants made amendments to Claims 1 and 63 to correct informalities in these claims. In the Advisory Action mailed March 17, 2004, the Examiner indicated that these amendments would not be entered because they were not deemed to place the Application in better form for appeal by materially reducing or simplifying the issues for appeal. However, the Examiner also indicated that, for purposes of Appeal, the proposed amendments will be entered. Thus, the claims provided in Appendix A reflect the amendments to Claims 1 and 63 presented in Appellants' Response to the Final Office Action.

**Summary of Invention**

In certain embodiments, the present invention includes a program office management system and method that provide a corporation the capability to manage costs, schedules, and resources from a micro- to a macro-level globally across an enterprise organization. The term "program office" or an office of programs may be defined as an office or corporate entity that is responsible for managing, coordinating and delivering one or more mission critical functionalities or programs. A "program" may be a collection of related projects. An

example of a program is one that identifies and remediates systems that process century-date data incorrectly in the organization. The program office management system and method of the present invention may function independently of project management methodology and data source which enable the incorporation and integration of pre-existing data and data sources in different formats. (Page 2, Lines 15-31)

In certain embodiments, a program office management system includes a program office database which stores informational data associated with accounts, projects, and programs; financial data associated with the accounts, projects, and programs; schedule and progress data associated with the accounts, projects, and programs; data associated with personnel, roles, and security access information thereof; data associated with translating progress milestones and tactics to reporting categories; and update data associated with the progress, actual expenditures, and labor resources of the accounts, projects, and programs. The system further includes a user interface operable to display data stored in the program office according to a predetermined security scheme based on the security access information stored in the program office database, and further operable to receive the update data on a periodic basis. (Page 2, Line 32 through Page 3, Line 19)

In certain embodiments, the program office management system is operable to store a plurality of predefined tactics each comprising an approach taken to affect change on a project. For example, a tactic may include a strategy or approach taken in a project to affect change. (Page 14, Lines 13-14) Tactics may be grouped into types, such as, for example, repair, replace, outsource, retire, upgrade, and assess. (Page 14, Lines 14-16) Project management tools using different methodologies may define different tactics. (Page 14, Lines 17-18).

The program office management system may be operable to associate one or more predetermined project milestone categories with at least some of the plurality of predefined tactics. Milestones is a term that is used to measure progress and is evidenced by quantifiable and verifiable deliverables. (Page 14, Lines 19-21) A tactic therefore can be defined to have one or more milestones. Project management implementations using different methodologies may define different sets of milestones for their tactics. (Page 14, Lines 21-24)

In order to operate independently of different project management tools and methodologies and still be able to encompass the projects under the umbrella of the present system, the system and method of the present invention define milestone categories into which milestones defined in the project management tools may be mapped into. Examples of milestone categories may be assess, renovate, test, and implement. Corresponding to the milestone categories are tactic types defined in the present system and method. Tactic types can be defined in terms of the milestone categories required to complete a project of that tactic type. Therefore, a tactic defined in any project management tool can be categorized as a tactic type defined in the present system, and then mapped into milestone categories defined in the present system. This mapping provides a translation across terminology boundaries as well as language boundaries. Therefore, a project may continue to be managed under a project management tool using different methodologies, terminologies, as well as using the native language of the project management team. Furthermore, account managers and project managers may continue to use the same terminology and provide update data to the present system using the same terminology. (Page 14, Line 25 through Page 15, Line 12) In certain embodiments, the program office management system is operable to, upon selection of a first tactic, comprising one of the plurality of predefined tactics, by a user for use on a particular project, automatically associate with the particular project at least one milestone having a particular category that was previously associated with the first tactic.

In certain embodiments, one technical advantage of the invention is that there is no requirement of using identical project management methodology or data sources. Milestones unique to particular projects may be translated to industry standard milestones appropriate for the program(s). Organizational costs, schedules and resources can be managed and controlled across the organization on many levels. Further, access to system data is securely and strictly controlled based on a user's identifier, the user's role(s), and authorization levels. Another technical advantage of the present invention is the ability to archive seemingly limitless project history with minimal data storage. Priority can be assigned to projects in the entire organization to allocate resources. (Page 4, Line 30 through Page 5, Line 8)

#### **Statement of Issues**

1. Are Claims 1-9, 13-14, 16, 18-35, 38-42, and 44-63 patentable over U.S. Patent 5,765,140 to Knudson, et al. ("*Knudson*") under 35 U.S.C. § 103(a)?

### **Grouping of Claims**

Appellants have made an effort to group claims to reduce the burden on the Board. In the Argument section of this Appeal Brief, where appropriate, Appellants present arguments as to why particular claims subject to a ground of rejection are separately patentable from other claims subject to the same ground of rejection.

Appellants have concluded that the claims may be grouped together as follows:

1. Group 1 may include Claims 1-9, 13-14, 16, 18-26, 30-35, 38-42, 44-53, and 57-63;
2. Group 2 may include Claims 27 and 54; and
3. Group 3 may include Claims 28-29 and 55-56.

### **Argument**

The rejection of Claims 1-9, 13-14, 16, 18-35, 38-42, and 44-63 under 35 U.S.C. § 103(a) as being unpatentable over *Knudson* is improper and should be reversed by the Board.

#### ***A. Overview***

Claims 1-9, 13-14, 16, 18-35, 38-42, and 44-63 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Knudson*. A copy of *Knudson* is provided in Appendix B. Appellants respectfully submit that this rejection of Claims 1-9, 13-14, 16, 18-35, 38-42, and 44-63 under 35 U.S.C. § 103(a) is improper and should be reversed by the Board. Appellants address each group subject to this ground of rejection in order.

#### ***B. Standard***

The question raised under 35 U.S.C. § 103 is whether the prior art taken as a whole would suggest the claimed invention taken as a whole to one of ordinary skill in the art at the time of the invention. *See* 35 U.S.C. § 103(a). Accordingly, even if all elements of a claim are disclosed in various prior art references, which is certainly not the case here as discussed below, the claimed invention taken as a whole cannot be said to be obvious without some reason given in the prior art why one of ordinary skill at the time of the invention would have

been prompted to modify the teachings of a reference or combine the teachings of multiple references to arrive at the claimed invention.

The M.P.E.P. sets forth the strict legal standard for establishing a *prima facie* case of obviousness based on modification or combination of prior art references. "To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references where combined) must teach or suggest all the claim limitations." M.P.E.P. § 2142, 2143. The teaching, suggestion, or motivation for the modification or combination and the reasonable expectation of success must both be found in the prior art and cannot be based on an applicant's disclosure. *See Id.* (citations omitted). "Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art" at the time of the invention. M.P.E.P. § 2143.01. Even the fact that references *can* be modified or combined does not render the resultant modification or combination obvious unless the prior art teaches or suggests the desirability of the modification or combination. *See Id.* (citations omitted). Moreover, "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. All words in a claim must be considered in judging the patentability of that claim against the prior art." M.P.E.P. § 2143.03 (citations omitted).

The governing Federal Circuit case law makes this strict legal standard even more clear.<sup>1</sup> According to the Federal Circuit, "a showing of a suggestion, teaching, or motivation to combine or modify prior art references is an essential component of an obviousness holding." *In re Sang-Su Lee*, 277 F.3d 1338, 1343, 61 U.S.P.Q.2d 1430, 1433 (Fed. Cir. 2002) (quoting *Brown & Williamson Tobacco Corp. v. Philip Morris Inc.*, 229 F.3d 1120, 1124-25, 56 U.S.P.Q.2d 1456, 1459 (Fed. Cir. 2000)). "Evidence of a suggestion, teaching, or motivation . . . may flow from the prior art references themselves, the knowledge of one of

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<sup>1</sup> Note M.P.E.P. 2145 X.C. ("The Federal Circuit has produced a number of decisions overturning obviousness rejections due to a lack of suggestion in the prior art of the desirability of combining references.").

ordinary skill in the art, or, in some cases, the nature of the problem to be solved.” *In re Dembiczak*, 175 F.3d 994, 999, 50 U.S.P.Q.2d 1614, 1617 (Fed. Cir. 1999). However, the “range of sources available . . . does not diminish the requirement for actual evidence.” *Id.* Although a prior art device “may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so.” *In re Mills*, 916 F.2d at 682, 16 U.S.P.Q.2d at 1432. *See also In re Rouffet*, 149 F.3d 1350, 1357, 47 U.S.P.Q.2d 1453, 1457-58 (Fed. Cir. 1998) (holding a *prima facie* case of obviousness not made where the combination of the references taught every element of the claimed invention but did not provide a motivation to combine); *In Re Jones*, 958 F.2d 347, 351, 21 U.S.P.Q.2d 1941, 1944 (Fed. Cir. 1992) (“Conspicuously missing from this record is any evidence, other than the PTO’s speculation (if that can be called evidence) that one of ordinary skill in the herbicidal art would have been motivated to make the modification of the prior art salts necessary to arrive at” the claimed invention.). Even a determination that it would have been obvious to one of ordinary skill in the art at the time of the invention to try the proposed modification or combination is not sufficient to establish a *prima facie* case of obviousness. *See In re Fine*, 837 F.2d 1071, 1075, 5 U.S.P.Q.2d 1596, 1599 (Fed. Cir. 1988).

In addition, the M.P.E.P. and the Federal Circuit repeatedly warn against using an applicant's disclosure as a blueprint to reconstruct the claimed invention. For example, the M.P.E.P. states, “The tendency to resort to ‘hindsight’ based upon applicant's disclosure is often difficult to avoid due to the very nature of the examination process. However, impermissible hindsight must be avoided and the legal conclusion must be reached on the basis of the facts gleaned from the prior art.” M.P.E.P. § 2142. The governing Federal Circuit cases are equally clear. “A critical step in analyzing the patentability of claims pursuant to [35 U.S.C. § 103] is casting the mind back to the time of invention, to consider the thinking of one of ordinary skill in the art, guided only by the prior art references and the then-accepted wisdom in the field. . . . Close adherence to this methodology is especially important in cases where the very ease with which the invention can be understood may prompt one ‘to fall victim to the insidious effect of a hindsight syndrome wherein that which only the invention taught is used against its teacher.’” *In re Kotzab*, 217 F.3d 1365, 1369, 55 U.S.P.Q.2d 1313, 1316 (Fed. Cir. 2000) (citations omitted). In *In re Kotzab*, the court noted that to prevent the use of hindsight based on the invention to defeat patentability of the invention, this court requires the examiner to show a motivation to combine the references

that create the case of obviousness. *See id.* *See also, e.g., Grain Processing Corp. v. American Maize-Products*, 840 F.2d 902, 907, 5 U.S.P.Q.2d 1788, 1792 (Fed. Cir. 1988). Similarly, in *In re Dembiczak*, the Federal Circuit reversed a finding of obviousness by the Board, explaining that the required evidence of such a teaching, suggestion, or motivation is essential to avoid impermissible hindsight reconstruction of an applicant's invention:

Our case law makes clear that the best defense against the subtle but powerful attraction of hind-sight obviousness analysis is *rigorous application of the requirement for a showing of the teaching or motivation to combine prior art references*. Combining prior art references without evidence of such a suggestion, teaching, or motivation simply takes the inventor's disclosure as a blueprint for piecing together the prior art to defeat patentability—the essence of hindsight.

175 F.3d at 999, 50 U.S.P.Q.2d at 1617 (emphasis added) (citations omitted).

**D. *Knudson***

*Knudson* merely discloses a dynamic project management system that includes a server network and a master database. (Abstract) The network is configured to identify a personnel resource pool including a plurality of users. (Abstract) A project planning tool is used to effect the project plan including a plurality of tasks to be performed by the users in accordance with respective time schedules. (Abstract) The network is configured for translating the project plan into the master database to effect an assignments table including a list of project tasks assigned for completion by each of the users. (Abstract) Time sheets are periodically prepared in the master database from the assignments table and include a list of the project tasks assigned to a respective user and a time period record for recording time entries therein. (Abstract) Actual time expended in performing the tasks is fed back to the project plan for managing completion of the tasks in accordance with the time schedules. (Abstract)

**E. *Group 1 (Claims 1-9, 13-14, 16, 18-26, 30-35, 38-42, 44-53, and 57-63)***

Claims 1-9, 13-14, 16, 18-26, 30-35, 38-42, 44-53, and 57-63 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Knudson*. Appellants respectfully submit that



*Knudson* fails to disclose, teach, or suggest limitations recited in independent Claims 1, 32, and 63. Appellants respectfully submits that these claims and their respective dependent claims are clearly patentable over *Knudson*.

Claims 1-9, 13-14, 16, 18-26, 30-35, 38-42, 44-53, and 57-63 are separately patentable from every other claim subject to the same ground of rejection. These claims recite limitations that are substantially different from limitations recited in other claims. In addition, claims excluded from Group 1 that are subject to the same ground of rejection and that depend on independent Claims 1, 32, and 63, respectively, recite patentable distinctions over the prior art beyond those recited in independent Claims 1, 32, and 63 and cannot be properly grouped with independent Claims 1, 32, and 63 for purposes of this Appeal.

**1. *Knudson* Fails to Disclose, Teach, or Suggest All Elements of the Claimed Invention**

Assuming, for the sake of argument only, that *Knudson* suggests, teaches, or motivates a person of skill in the art to modify *Knudson* in the manner proposed by the Examiner (a proposition with which Appellants disagree, as discussed below), *Knudson* would still fail to disclose, teach, or suggest each and every element of the claimed invention.

Independent Claim 1 of the present application, for example, recites:

A program office management system, comprising—computer software stored on a computer readable storage medium and operable to:  
store informational data associated with accounts, projects, and programs;  
store financial data associated with the accounts, projects, and programs;  
store schedule and progress data associated with the accounts, projects, and programs;  
store data associated with personnel, roles, and security access information thereof;  
store a plurality of predefined tactics wherein each of the plurality of predefined tactics comprises an approach taken to affect change on a project;  
associate one or more predetermined project milestone categories with at least some of the plurality of predefined tactics;  
store update data associated with the progress, actual expenditures, and labor resources of the projects and programs;

wherein the data associated with the security access information of personnel comprise a role definition of a coordinator having authorization to assign one or more persons to the at least one business unit, assign at least one role to each person, and add projects and accounts for the at least one business unit;

wherein the data associated with the security access information of personnel comprise a role table operable to store at least one valid role, and an authorization hierarchical organization of the at least one valid role, wherein the authorization hierarchical organization is associated with increasing levels of data access;

wherein the data associated with the security access information of personnel associates at least one of the valid roles relevant to the project to each person;

display data stored in the program office according to a predetermined security scheme based on the security access information stored in the program office database;

upon selection of a first tactic, comprising one of the plurality of predefined tactics, by a user for use on a particular project, automatically associating with the particular project at least one milestone having a particular milestone category that was previously associated with the first tactic; and

receive the update data on a periodic basis.

Independent Claims 32 and 63 recite certain analogous limitations. *Knudson*, whether considered alone or in combination with knowledge generally available to one having ordinary skill in the art at the time of invention, fails to disclose, teach, or suggest various limitations as specifically recited in independent Claims 1, 32, and 63.

For example, in each of independent Claims 1, 32, and 63, Appellants have specified specific actions being taken on data which are not disclosed, taught, or suggested by *Knudson*. In particular, Appellants have previously amended Claims 1, 32, and 63 to better define "tactics" and their relationship to "milestone categories" and to describe what actions are taken when a particular predefined tactic is selected by the user for a particular project. For example, Claim 1 recites that upon such selection of a first tactic, "automatically associating with the particular project at least one milestone having a particular milestone category that was previously associated with the first tactic." Claims 32 and 63 recite similar, although not identical, elements. This feature of Appellants' invention allows the operator of a project management system to obtain consistent milestone definitions for various types of tactics. As discussed in the specification, such consistency can be particularly helpful in a large organization. Additionally, milestones defined in a pre-existing project defined or

managed in another project management tool may be cross-referenced or mapped to the defined tactic types of the present program office management system and methodology. Accordingly, a project managed by a conventional project management methodology or tool with its own set of milestones may be translated to the tactic types of the present system. (See, e.g., Page 35, Lines 7-14)

As an example, Figure 15D can be used to illustrate these aspects of the invention. This example is intended to illustrate an embodiment of the claimed invention and not to limit the claims.<sup>2</sup> When dealing with software systems, for example, one tactic associated with a particular project might be to repair an existing system as illustrated. In this example, there are 4 milestone categories associated with the repair of an existing system: assess, modification, test, and implement. In using the present invention, these four milestone categories can be previously associated with the "repair existing system" tactic type. Thus, when a user of the project management system decides that it is necessary to repair an existing system during the project, the user might select the "repair existing system" tactic type from a menu of possible tactic types. At that point, the system may automatically associate four milestones with the project and tactic. Here, the four milestones that may be automatically assigned have the milestone types: assess, modification, test, and implement. By automatically assigning milestone types, the invention saves time in having to enter the milestone information and promotes uniformity in project management.

The Examiner stated that *Knudson* discloses "automatically associating at least one milestone with a project based on a selected tactic." (February 5, 2004 Final Office Action, Page 3, citing *Knudson*, Col. 9, Lines 50-54). The cited portions of *Knudson* merely disclose that when a user enters an estimated time to completion of an assigned task, the estimated completion information is fed back into a project planning tool to update the plan. Because neither the claimed invention, nor its advantages are disclosed, taught, or suggested by *Knudson*, Appellants submit that Claims 1, 32, and 63 are patentable. All other pending claims depend upon one of these independent claims, either directly or indirectly, and, therefore, are patentable for the same reasons that Claims 1, 32, and 63 are patentable.

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<sup>2</sup> See *Superguide Corp. v. DirecTV Enters., Inc.*, 2004 WL 253013, at \*3 (Fed. Cir. 2004) (stating that the specification of a patent cannot be used to import limitations into a claim that are not recited in the claim to narrow or otherwise change the ordinary meaning of a claim term).

**2. The Examiner has Failed to Show the Required Teaching, Suggestion, or Motivation to Modify *Knudson***

In the present case, the Examiner has failed to show that *Knudson* provides the requisite teaching, suggestion, or motivation to a person of skill in the art to modify *Knudson* to produce the claimed invention. With regard to independent Claims 1, 32, and 63, for example, the Examiner stated, “Knudson discloses that many types of data pertaining to projects, budgets, and personnel are stored in the master project management database system [disclosed in *Knudson*]. The Examiner notes that the claimed data is the usual data associated with project management and is either explicitly shown by Knudson as being stored in the database or would have been obvious to one having ordinary skill in the art at the time the invention was made to include in the database.” (February 5, 2004 Final Office Action, Page 3).

The Examiner, however, failed to point to any portion of *Knudson* that teaches or suggests the desirability of modifying *Knudson* to achieve the advantages of the claimed invention. The Examiner merely stated that “it would have been obvious” to a person of skill in the art to modify *Knudson* to achieve the claimed invention. (February 5, 2004 Final Office Action, Pages 3 and 6-7) As discussed above, such a statement is insufficient to establish a prima facie case of obviousness and constitutes impermissible hindsight reconstruction of the Appellants’ invention. Moreover, to the extent “common knowledge” or “well known” art is relied upon by the Examiner to combine or modify *Knudson*, the Examiner should have provided a reference pursuant to M.P.E.P. § 2144.03 to support such an argument, as requested by Appellants. (See March 4, 2004 Response to Final Office Action, Page 16) If the Examiner relied on personal knowledge to supply the required motivation or suggestion to combine or modify the references, the Examiner should have provided an affidavit supporting such facts pursuant to M.P.E.P. § 2144.03.

**3. The Examiner Improperly Disregarded Various Limitations Recited in Certain of Appellants’ Claims**

Appellants note that the Examiner has not identified where numerous limitations of dependent Claims 16, 18-31, 44-57, and 62, for example, can be found in *Knudson*. In

particular, the Examiner stated that, with respect to dependent Claims 16, 18-31, 44-57, and 62:

Knudson discloses a system and method for program office management and further discloses tracking and storing the progress, budget, time schedule, personnel, problems, etc. of each project.<sup>3</sup> The Examiner notes that the claimed data is the usual data associated with project management and is either explicitly shown by Knudson as being stored in the database or would have been obvious to one having ordinary skill in the art at the time the invention was made to include in the database. Furthermore, since the claims are only directed to a database and a user interface with no action being taken on the data besides storing and retrieving, the data within the database is considered to be non-functional data per se and is given little if any patentable weight.

(February 5, 2004 Final Office Action, Pages 4-5; citations omitted)

It appears that the Examiner did not identify where portions of these dependent claims can be found in *Knudson* because of his contention that no action is being taken on the data so the data is entitled to little if any patentable weight. First, Appellants disagree that the Examiner may simply ignore claim limitations as if they did not exist. As discussed above, "[t]o establish *prima facie* obviousness of a claimed invention, ***all the claim limitations*** must be taught or suggested by the prior art." M.P.E.P. § 2143.03 citing *In re Royka*, 490 F.2d 981 (CCPA 1974) (emphasis added). "***All words in a claim must be considered in judging the patentability of that claim against the prior art.***" M.P.E.P. § 2143.03 citing *In re Wilson*, 424 F.2d 1382, 1385 (CCPA 1970) (emphasis added). Furthermore, "[t]he claimed invention must be considered as a whole." M.P.E.P. § 2141.01. Thus, Appellants respectfully submit

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<sup>3</sup> The Examiner cites essentially the entire detailed description portion of *Knudson* as support for these disclosures. 37 C.F.R. 1.104 recites, in part "When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified." (emphasis added) Thus, 37 C.F.R. § 1.104 requires the Examiner to designate the particular portions of the cited references relied on by the Examiner. Instead of summarizing the limitations recited in certain of Appellants' claims and reciting the entire detailed description of *Knudson*, Appellants respectfully submit that it should have been reasonably practical for the Examiner to note, as nearly as practicable, which specific teachings in the cited references are relevant to each element of each of Appellants' claims and why such teachings of the references are relevant. Although the Examiner is undoubtedly responsible for the examination of a large number of applications, placing inordinate constraints on the Examiner's time, Appellants cannot be penalized for this fact and are still entitled to a full and complete examination of this Application in compliance with all applicable statutes, regulations, rules, and case law.

that the Examiner must consider the limitations recited in these dependent claims rather than simply disregard them as being merely descriptive.

The Examiner's rejection of the claims apparently raises what the Federal Circuit has termed a "printed matter rejection" and is an inappropriate rejection of Appellants' claims. In *In re Gulack*, the Federal Circuit considered a band printed with a particular sequence of integers for teaching mathematics. The Court determined that the "[d]ifferences between an invention and the prior art cited against it cannot be ignored merely because those differences reside in the content of the printed matter. The claim must be read as a whole." *In re Gulack*, 703 F.2d 1381, 1385 (Fed. Cir. 1983). It is only where the printed matter is not functionally related to the substrate that the printed matter will not distinguish the invention from the prior art in terms of patentability. *Id.* "The critical question is whether there exists any new and unobvious functional relationship between the printed matter and the substrate." *Id.* at 1386. Because the hat band of *In re Gulack* required a particular sequence of digits, the court determined that the band was patentable over the prior art.

The Federal Circuit reconsidered *In re Gulack* when deciding *In re Lowry* eleven years later. The invention at issue involved an efficient, flexible method of organizing stored data in a computer memory using attribute data objects. *In re Lowry*, 32 F.3d 1579, 1580 (Fed. Cir. 1984). The court determined that in rejecting the claims the Board of Patent Appeals and Interferences erroneously analogized the invention to printed matter. *Id.* at 1582. As an initial matter, the court noted that *In re Gulack* "cautioned against a liberal use of 'printed matter rejections under section 103.'" *Id.* at 1583. Further, the court stated that "[t]he printed matter cases have no factual relevance where 'the invention as defined by the claims *requires* that the information be processed not by the mind but by a machine, the computer.'" *Id.* Because the data structures of *In re Lowry* were processed by a machine, the printed matter cases had no factual relevance to the case. *Id.* For similar reasons, the printed matter cases are not relevant to Appellants' claims, which recite, among other elements, various computerized data and data structures that may be processed using the program office management system of Claim 1, for example. Further, even assuming for the sake of argument only that the printed subject matter cases are relevant to Appellants' claims, the limitations recited in Appellants' claims are functional within the meaning of *In re Gulack* and *In re Lowry*.

Appellants also point out that Claims 1 and 63 (from which certain of these dependent claims depend) both recite at least displaying data according to a predetermined security scheme, etc. Such steps certainly involve "action being taken" on the data. Thus, Appellants respectfully submit that the Examiner must consider the limitations recited in dependent Claims 16, 18-31, 44-57, and 62, as well as those recited in Appellants' other claims.

For at least these reasons, *Knudson* fails to disclose, teach, or suggest the particular combinations of limitations specifically recited in independent Claims 1, 32, and 63. Independent Claims 1, 32, and 63 and all of their respective dependent claims are therefore patentable over *Knudson*. Thus, Appellant respectfully requests that the Board reverse the Examiner's rejection of independent Claims 1, 32, and 63, and their respective dependent claims, under 35 U.S.C. § 103(a) as being unpatentable over *Knudson*.

***F. Group 2 (Claims 27 and 54)***

Claims 27 and 54 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Knudson*. Appellants respectfully submit that these claims are clearly patentable over *Knudson*.

Claims 27 and 54 are separately patentable from every other claim subject to the same ground of rejection. These claims recite limitations that are substantially different from limitations recited in other claims.

Dependent Claims 27 and 54, depend from independent Claims 1 and 32, which Appellants have shown above to be clearly patentable over *Knudson*, and are allowable for at least this reason. In addition, dependent Claims 27 and 54 recite further patentable distinctions over *Knudson*.

For example, dependent Claim 27 recites that "the program office database further comprises a user weight table operable to store a weight value indicative of importance for each system affected by the projects and programs." Dependent Claim 54 recites substantially similar limitations for a method of managing a program office. The Examiner

cites no particular portion of *Knudson* as teaching the limitations recited in Claims 27 and 54. Instead, the Examiner merely groups dependent Claims 16, 18-31, 44-57, and 62 together, and states that “Knudson discloses a system and method for program office management and further discloses tracking and storing the progress, budget, time schedule, personnel, problems, etc. of each project,” citing the entire detailed description portion of *Knudson* as support. (February 5, 2004 Final Office Action, Pages 5-6)

The Examiner further states, “The Examiner notes that the claimed data is the usual data associated with project management and is either explicitly shown by Knudson as being stored in the database or would have been obvious to one having ordinary skill in the art at the time the invention was made to include in the database. Furthermore, since the claims are only directed to a database and a user interface with no action being taken on the data besides storing and retrieving, the data within the database is considered to be non-functional data per se and is given little if any patentable weight.” (February 5, 2004 Final Office Action, Page 5) However, as discussed above with reference to Group 1, “[t]o establish *prima facie* obviousness of a claimed invention, ***all the claim limitations*** must be taught or suggested by the prior art.” M.P.E.P. § 2143.03 citing *In re Royka*, 490 F.2d 981 (CCPA 1974) (emphasis added). “***All words in a claim must be considered in judging the patentability of that claim against the prior art.***” M.P.E.P. § 2143.03 citing *In re Wilson*, 424 F.2d 1382, 1385 (CCPA 1970) (emphasis added). Furthermore, “[t]he claimed invention must be considered as a whole.” M.P.E.P. § 2141.01. Thus, Appellants respectfully submit that the Examiner must consider the limitations recited in these dependent claims rather than simply disregard them. Additionally, Appellants reiterate their other arguments presented above with respect to non-functional descriptive language.

In any event, nowhere does *Knudson* disclose, teach, or suggest “the program office database further comprises a user weight table operable to store a weight value indicative of importance for each system affected by the projects and programs,” as recited in Claim 27 (and substantially similarly recited in Claim 54).

For at least these reasons, *Knudson* fails to disclose, teach, or suggest the particular combinations of limitations specifically recited in dependent Claims 27 and 54. Dependent Claims 27 and 54 are therefore patentable over *Knudson*. Thus, Appellants respectfully



request that the Board reverse the Examiner's rejection of Claims 27 and 54 under 35 U.S.C. § 103(a) as being unpatentable over *Knudson*.

**G. Group 3 (Claims 28-29 and 55-56)**

Claims 28-29 and 55-56 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Knudson*. Appellants respectfully submit that these claims are clearly patentable over *Knudson*.

Claims 28-29 and 55-56 are separately patentable from every other claim subject to the same ground of rejection. These claims recite limitations that are substantially different from limitations recited in other claims.

Dependent Claims 28-29 and 55-56 depend from independent Claims 1 and 32, respectively, which Appellants have shown above to be clearly patentable over *Knudson*, and are allowable for at least this reason. In addition, dependent Claims 28-29 and 55-56 recite further patentable distinctions over *Knudson*.

For example, dependent Claim 28 recites that "the program office database further comprises a project roadblock table operable to store information about a problem encountered in a project identified by a project identifier and to enable escalated reporting to upper management about unresolved problems." Dependent Claim 55 recites substantially similar limitations for a method of managing a program office. The Examiner cites no particular portion of *Knudson* as teaching the limitations recited in Claims 28 and 55. Instead, the Examiner merely groups dependent Claims 16, 18-31, 44-57, and 62 together, and states that "Knudson discloses a system and method for program office management and further discloses tracking and storing the progress, budget, time schedule, personnel, problems, etc. of each project," citing the entire detailed description portion of *Knudson* as support. (February 5, 2004 Final Office Action, Pages 5-6)

The Examiner further states, "The Examiner notes that the claimed data is the usual data associated with project management and is either explicitly shown by Knudson as being stored in the database or would have been obvious to one having ordinary skill in the art at

the time the invention was made to include in the database. Furthermore, since the claims are only directed to a database and a user interface with no action being taken on the data besides storing and retrieving, the data within the database is considered to be non-functional data per se and is given little if any patentable weight.” (February 5, 2004 Final Office Action, Page 5) However, as discussed above with reference to Groups 1 and 2, “[t]o establish *prima facie* obviousness of a claimed invention, ***all the claim limitations*** must be taught or suggested by the prior art.” M.P.E.P. § 2143.03 citing *In re Royka*, 490 F.2d 981 (CCPA 1974) (emphasis added). ***“All words in a claim must be considered in judging the patentability of that claim against the prior art.”*** M.P.E.P. § 2143.03 citing *In re Wilson*, 424 F.2d 1382, 1385 (CCPA 1970) (emphasis added). Furthermore, “[t]he claimed invention must be considered as a whole.” M.P.E.P. § 2141.01. Thus, Appellants respectfully submit that the Examiner must consider the limitations recited in these dependent claims rather than simply disregard them. Additionally, Appellants reiterate their other arguments presented above with respect to non-functional descriptive language.

In any event, nowhere does *Knudson* disclose, teach, or suggest “the program office database further comprises a project roadblock table operable to store information about a problem encountered in a project identified by a project identifier and to enable escalated reporting to upper management about unresolved problems,” as recited in Claim 28 (and substantially similarly recited in Claim 55). In certain embodiments, this feature of Appellants’ invention maintains problems encountered in the project and what was done to resolve them. The information in the roadblock table can provide lessons learned from past history and the roadblock is reported or escalated up the management chain until it is resolved. (See, e.g., Page 32, Lines 13-18) *Knudson*, on the other hand, merely discloses that users may enter labor expended against specific tasks, instead of entering time on simple AIMS numbers which will, according to *Knudson*, allow project teams to track and control projects with improved efficiency and accuracy. (Column 7, Lines 10-14) Because neither the claimed invention, nor its advantages are disclosed, taught, or suggested by *Knudson*, Appellants submit that Claims 28 and 55 are patentable.

As another example, dependent Claim 29 recites that “the project roadblock table [recited in Claim 28] comprises: roadblock type; date and time that the problem was encountered; and data on how and when the problem was resolved.” Dependent Claim 56

recites substantially similar limitations for a method of managing a program office. The Examiner cites no particular portion of *Knudson* as teaching the limitations recited in Claims 29 and 56. Instead, the Examiner merely groups dependent Claims 16, 18-31, 44-57, and 62 together, and provides the statements discussed above with reference to Claims 28 and 55, apparently ignoring the specific limitations recited in these claims.

In any event, nowhere does *Knudson* disclose, teach, or suggest “the project roadblock table [recited in Claim 28] comprises: roadblock type; date and time that the problem was encountered; and data on how and when the problem was resolved,” as recited in Claim 29 (and substantially similarly recited in Claim 56). As discussed above with reference to Claims 28 and 55, in certain embodiments, this feature of Appellants’ invention maintains problems encountered in the project and what was done to resolve them. The information in the roadblock table can provide lessons learned from past history and the roadblock is reported or escalated up the management chain until it is resolved. (*See, e.g.*, Page 32, Lines 13-18) *Knudson*, on the other hand, merely discloses that users may enter labor expended against specific tasks, instead of entering time on simple AIMS numbers which will, according to *Knudson*, allow project teams to track and control projects with improved efficiency and accuracy. (Column 7, Lines 10-14) Because neither the claimed invention, nor its advantages are disclosed, taught, or suggested by *Knudson*, Appellants submit that Claims 29 and 56 are patentable.

For at least these reasons, *Knudson* fails to disclose, teach, or suggest the particular combinations of limitations specifically recited in dependent Claims 28-29 and 55-56. Dependent Claims 28-29 and 55-56 are therefore patentable over *Knudson*. Thus, Appellants respectfully request that the Board reverse the Examiner’s rejection of Claims 28-29 and 55-56 under 35 U.S.C. § 103(a) as being unpatentable over *Knudson*.

**Conclusion**

Appellants have demonstrated that the present invention, as claimed, is clearly patentably distinguishable over the prior art cited by the Examiner. Therefore, Appellants respectfully request the Board of Patent Appeals and Interferences to reverse the final rejection of the Examiner and instruct the Examiner to issue a Notice of Allowance of all pending claims.

The Commissioner is hereby authorized to charge the \$330.00 fee for this Appeal Brief to Deposit Account No. 05-0765 of Electronic Data Systems Corporation. The Commissioner is also hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 05-0765 of Electronic Data Systems Corporation. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,

BAKER BOTTS L.L.P.  
Attorneys for Appellants

A handwritten signature in black ink, appearing to read "Chad D. Terrell", is written over the printed name.

Chad D. Terrell  
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**Appendix A**

1. (Previously Presented) A program office management system, comprising computer software stored on a computer readable storage medium and operable to:
  - store informational data associated with accounts, projects, and programs;
  - store financial data associated with the accounts, projects, and programs;
  - store schedule and progress data associated with the accounts, projects, and programs;
  - store data associated with personnel, roles, and security access information thereof;
  - store a plurality of predefined tactics wherein each of the plurality of predefined tactics comprises an approach taken to affect change on a project;
  - associate one or more predetermined project milestone categories with at least some of the plurality of predefined tactics;
  - store update data associated with the progress, actual expenditures, and labor resources of the projects and programs;
  - wherein the data associated with the security access information of personnel comprise a role definition of a coordinator having authorization to assign one or more persons to the at least one business unit, assign at least one role to each person, and add projects and accounts for the at least one business unit;
  - wherein the data associated with the security access information of personnel comprise a role table operable to store at least one valid role, and an authorization hierarchical organization of the at least one valid role, wherein the authorization hierarchical organization is associated with increasing levels of data access;
  - wherein the data associated with the security access information of personnel associates at least one of the valid roles relevant to the project to each person;
  - display data stored in the program office according to a predetermined security scheme based on the security access information stored in the program office database;
  - upon selection of a first tactic, comprising one of the plurality of predefined tactics, by a user for use on a particular project, automatically associating with the particular project at least one milestone having a particular milestone category that was previously associated with the first tactic; and
  - receive the update data on a periodic basis.

2. (Original) The system, as set forth in Claim 1, wherein the program office database comprises a plurality of relational data structures.

3. (Original) The system, as set forth in Claim 1, wherein the at least one user interface comprises at least one web-based user interface.

4. (Original) The system, as set forth in Claim 1, wherein the at least one user interface comprises at least one self-extracting executable user interface.

5. (Original) The system, as set forth in Claim 1, wherein the at least one user interface comprises at least one program office interface.

6. (Original) The system, as set forth in Claim 1, wherein the program office database comprises more than one copy of the data residing in more than one distributed databases.

7. (Original) The system, as set forth in Claim 1, wherein the user interface comprises more than one copy of the user interface residing in more than one distributed computing system.

8. (Original) The system, as set forth in Claim 1, wherein the data associated with security access information of personnel comprise an assignment table associating a person to at least one role defined within a business unit.

9. (Original) The system, as set forth in Claim 1, wherein the data associated with security access information of personnel comprise an assignment table associating a person to at least one role defined within a business unit, and further to at least one predefined update authority level set by a person having a senior management role within the business unit.

10. (Canceled)

11. (Canceled)

12. (Canceled)

13. (Original) The system, as set forth in Claim 1, wherein the data associated with security access information of personnel comprise a role definition of an account manager capable of having authorization to update account data and project data.

14. (Original) The system, as set forth in Claim 1, wherein the data associated with security access information of personnel comprise a role definition of a project manager capable of having authorization to update project data.

15. (Canceled)

16. (Original) The system, as set forth in Claim 1, wherein the data associated with translating progress milestones comprise a data table operable to map milestones predefined in a project to milestone categories predefined within the program office database.

17. (Canceled)

18. (Original) The system, as set forth in Claim 1, wherein the financial data comprise:

a project forecast table operable to store at least one current budget forecast amount for the project; and

a project forecast history table operable to store an original budget forecast amount if it is different than the at least one current budget forecast amount.

19. (Original) The system, as set forth in Claim 1, wherein the financial data comprise:

an account forecast table operable to store at least one revenue and expense budget amount associated with an account; and

an account actual table operable to store at least one revenue and expense actual amount associated with the account.

20. (Original) The system, as set forth in Claim 1, wherein the informational data comprise a project table operable to store informational data associated with at least one project identified by a project identifier.

21. (Original) The system, as set forth in Claim 20, wherein the project table comprises:

- a project identifier uniquely identifying each project;
- a business unit identifier of a business unit to which the project belongs to;
- at least one person identifier of a person assigned a role having a predetermined responsibility for the project; and
- a status flag indicative of whether the project is active, pending, or inactive.

22. (Original) The system, as set forth in Claim 1, wherein the information data include an account table comprising:

- an account identifier uniquely identifying each account;
- a business unit identifier of a business unit to which the account belongs to; and
- a person identifier of a person assigned the role of an account manager for the account.

23. (Original) The system, as set forth in Claim 1, wherein the schedule and progress data comprise a milestone actual table operable to store an amount of progress into a specific milestone for a given period for a project.

24. (Original) The system, as set forth in Claim 1, wherein the schedule and progress data comprise:

- a project identifier of a project;
- a milestone defined for the project;
- a reporting period; and
- a percentage completion value of the milestone in the reporting period independent of forecast or actuals.



25. (Original) The system, as set forth in Claim 1, wherein the update data comprise:

a project actual table operable to store actual expenditure amounts spent during a specific reporting period for a project; and

a milestone actual table operable to store a percentage completion value of a specific milestone defined for a project during the specific reporting period.

26. (Previously Presented) The system, as set forth in Claim 24, wherein the update data further comprise an account actual table operable to store actual expenditure amounts spent during the specific reporting period for an account.

27. (Previously Presented) The system, as set forth in Claim 1, wherein the program office database further comprises a user weight table operable to store a weight value indicative of importance for each system affected by the projects and programs.

28. (Previously Presented) The system, as set forth in Claim 1, wherein the program office database further comprises a project roadblock table operable to store information about a problem encountered in a project identified by a project identifier and to enable escalated reporting to upper management about unresolved problems.

29. (Previously Presented) The system, as set forth in Claim 28, wherein the project roadblock table comprises:

roadblock type;

date and time that the problem was encountered; and

data on how and when the problem was resolved.

30. (Previously Presented) The system, as set forth in Claim 1, wherein the program office database further comprises a transaction log table operable to record what changes were made to data stored in the program office database, who made the changes, and when the changes were made.

31. (Previously Presented) The system, as set forth in Claim 1, wherein the program office database comprises required data, audit data, program objective specific data, and optional data.

32. (Previously Presented) A method of managing a program office, comprising:

- storing and accessing data associated with at least one project in a program office database, including informational data, financial data, schedule and progress data associated with the at least one project;
- storing update data associated with the at least one project;
- identifying persons associated with the at least one project, defining a role hierarchy having roles associated with increasing levels of data access, assigning at least one role relevant to the at least one project to each person, and storing data associated with the persons and their assigned roles in the program office database;
- wherein assigning at least one role comprises assigning a role of coordinator, a role having authority to add people for a respective business unit, assign some roles to people, and add projects and accounts of a business unit;
- storing a plurality of predefined tactics, wherein each of the plurality of predefined tactics comprises an approach taken to affect change on a project;
- associating one or more predetermined project milestone categories with at least some of the plurality of predefined tactics; and
- upon selection of a first tactic, comprising one of the plurality of predefined tactics, by a user for use on a particular project, automatically associating with the particular project at least one milestone having a particular milestone category that was previously associated with the first tactic.

33. (Previously Presented) The method, as set forth in Claim 32, wherein identifying persons further comprises assigning an update authorization level to each person by a person having a senior management role.

34. (Previously Presented) The method, as set forth in Claim 33, further comprising restricting and permitting viewing, changing and adding data in the program office database according to the assigned role to each person, rules defined in the program office database, and update authorization level assigned to each person.

35. (Previously Presented) The method, as set forth in Claim 32, wherein assigning at least one role comprises assigning at least one role from the role hierarchy to each person, the roles having increasing capability to access and modify program office database data.

36. (Canceled)

37. (Canceled)

38. (Previously Presented) The method, as set forth in Claim 32, wherein assigning at least one role comprises assigning a role of account manager, a role capable of having authority to update project and account data for a respective account.

39. (Previously Presented) The method, as set forth in Claim 32, wherein assigning at least one role comprises assigning a role of project manager, a role capable of having authority to update project data for a respective project.

40. (Previously Presented) The method, as set forth in Claim 32, wherein storing and accessing data comprise storing and accessing data stored in at least one relational database.

41. (Previously Presented) The method, as set forth in Claim 32, wherein storing and accessing data associated with the persons and their assigned roles comprise:

storing and accessing an assignment table associating a person identifier to at least one role defined within a specific business unit; and

granting at least one predefined update authority to the person identifier by a person having a predetermined upper management role.

42. (Previously Presented) The method, as set forth in Claim 32, wherein storing and accessing data associated with the persons and their assigned roles comprise storing and accessing a role table having at least one valid role and an authorization hierarchical organization of the at least one valid role.

43. (Canceled)

44. (Previously Presented) The method, as set forth in Claim 32 further comprising storing and accessing a data table associating a milestone to the at least one tactic.

45. (Previously Presented) The method, as set forth in Claim 32, wherein storing and accessing the financial data comprise:

storing and accessing a project forecast table having at least one current budget forecast amount for the project; and

storing and accessing a project forecast history table operable to store an initial budget forecast amount if it is different than the at least one current budget forecast amount.

46. (Previously Presented) The method, as set forth in Claim 32, wherein storing and accessing the financial data comprise:

storing and accessing an account forecast table operable to store at least one revenue and expense budget amount associated with an account; and

storing and accessing an account actual table operable to store at least one revenue and expense actual amount associated with the account.

47. (Previously Presented) The method, as set forth in Claim 32, wherein storing and accessing the informational data comprise:

storing and accessing a project table operable to store informational data associated with at least one project identified by a project identifier; and

storing and accessing an account table operable to store informational data associated with at least one account identified by an account identifier.

48. (Previously Presented) The method, as set forth in Claim 32, wherein storing and accessing the project table comprise:

storing a project identifier uniquely identifying each project and using the project identifier as a primary key to the project table;

storing and accessing a business unit identifier of a business unit to which the project belongs to;

storing and accessing a person identifier of a person assigned at least one role for the project; and

storing and accessing a status flag indicative of whether the project is active, pending, or inactive.

49. (Previously Presented) The method, as set forth in Claim 32, wherein storing and accessing the account table comprise:

storing and accessing an account identifier uniquely identifying each account;

storing and accessing a business unit identifier of a business unit to which the account belongs to; and

storing and accessing a person identifier of a person assigned the role of an account manager for the account.

50. (Previously Presented) The method, as set forth in Claim 32, wherein storing and accessing the schedule and progress data comprise storing and accessing a milestone actual table having an amount of progress into a specific milestone for a given period for a project.

51. (Previously Presented) The method, as set forth in Claim 32, wherein storing and accessing the schedule and progress data comprise:

storing and accessing a project identifier of a project;

storing and accessing a milestone defined for the project;

storing and accessing a reporting period; and

storing and accessing a percentage completion value of the milestone in the reporting period.

52. (Previously Presented) The method, as set forth in Claim 32, wherein storing and accessing the update data comprise:

storing and accessing a project actual table having actual expenditure amounts spent during a specific reporting period for a project; and

storing and accessing a milestone actual table having a percentage completion value of a specific milestone defined for a project during the specific reporting period.

53. (Previously Presented) The method, as set forth in Claim 52, wherein storing and accessing the update data further comprise storing and accessing an account actual table having actual expenditure amounts spent during the specific reporting period for an account.

54. (Previously Presented) The method, as set forth in Claim 32, further comprising storing and accessing a user weight table having a weight value indicative of importance for each system affected by the projects and programs.

55. (Previously Presented) The method, as set forth in Claim 32, further comprising:

storing and accessing a project roadblock table having information about a problem encountered in a project identified by a project identifier; and

reporting any problem to management unresolved after a predetermined time period.

56. (Previously Presented) The method, as set forth in Claim 55, wherein storing and accessing the project roadblock table comprise:

storing and accessing a roadblock type;

storing and accessing a date and time that the problem was encountered; and

storing and accessing data on how and when the problem was resolved.

57. (Previously Presented) The method, as set forth in Claim 32, further comprising storing and accessing a transaction log table having what changes were made to data stored in the program office database, who made the changes, and when the changes were made.

58. (Previously Presented) The method, as set forth in Claim 33, wherein storing and accessing the data comprise storing and accessing data via a web browser-based user interface implementing a security scheme using the role and update authorization level assignment to the users.

59. (Previously Presented) The method, as set forth in Claim 33, wherein storing and accessing update data comprise storing the update data via a self-extracting spread sheet-based user interface implementing a security scheme using the role and update authorization level assignment to the users.

60. (Previously Presented) The method, as set forth in Claim 32, further comprising:

retrieving data from at least one other data source; and  
verifying data in the program office database with the data from the at least one other data source.

61. (Previously Presented) The method, as set forth in Claim 32, further comprising:

retrieving data from at least one project management tool; and  
using the data from the at least one project management tool in views, reports, and audits.

62. (Previously Presented) The method, as set forth in Claim 32, further comprising:

retrieving data from at least one project management tool; and  
storing the data from the at least one project management tool in the program office database.



63. (Previously Presented) A system for managing at least one program including a plurality of projects, comprising computer software stored on a computer readable storage medium and operable to:

- store informational data associated with projects and programs;

- store financial data associated with the projects; and programs;

- store schedule and progress data associated with the projects; and programs;

- store personnel data associated with persons having responsibility associated with the projects and programs, the personnel data including a unique person identifier for each person;

- store security data having an assignment of at least one role to each person and an assignment of at least one update authorization to certain persons having oversight responsibility;

- store a plurality of predefined tactics wherein each of the plurality of predefined tactics comprises an approach taken to affect change on a project;

- associate one or more predetermined project milestone categories with at least some of the plurality of predefined tactics;

- store update data associated with the progress, actual expenditures, and labor resources of the projects and programs;

- wherein the data associated with the security access information of personnel comprise a role definition of a coordinator having authorization to assign one or more persons to the at least one business unit, assign at least one role to each person, and add projects and accounts for the at least one business unit;

- display and allow access to the data stored in the program office according to a predetermined security scheme based on the person identifier, role and update authorization assignment stored in the at least one program office database;

- upon selection of a first tactic, comprising one of the plurality of predefined tactics, by a user for use on a particular project, automatically associating with the particular project at least one milestone having a particular milestone category that was previously associated with the first tactic; and

- receive the update data on a periodic basis.

**Appendix B**